

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEE E. HAGGERTY,

Plaintiff,

v.

JEFF LYNCH, et al.,

Defendants.

No. 2:21-cv-1248 KJM AC P

ORDER

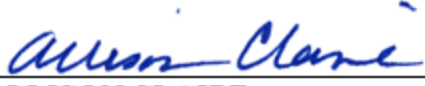
Plaintiff, a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983, has filed a motion for an extension of time to file a first amended complaint. ECF No. 25.

On August 2, 2022, the undersigned recommended that this action be dismissed after plaintiff failed to file a first amended complaint. ECF No. 12. Those findings and recommendations were withdrawn after plaintiff filed objections stating that he had filed both a motion for extension of time and an amended complaint, neither of which was received by the court. ECF No. 14. Plaintiff then proceeded to file a first amended complaint, which was received by the court on September 19, 2022. ECF No. 15. The motion for extension is dated May 23, 2022, and appears to be the motion for extension that plaintiff referenced in his objections. Because plaintiff has already filed a first amended complaint, upon which this action is proceeding, the motion will be denied as moot. To the extent plaintiff may be seeking leave to

1 file a second amended complaint, the motion will be denied because this case has been referred to  
2 the Post-Screening ADR Project and is currently stayed. ECF No. 23.

3 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for an extension of time  
4 (ECF No. 25) is DENIED.

5 DATED: January 9, 2023

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7 ALLISON CLAIRE  
8 UNITED STATES MAGISTRATE JUDGE  
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